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HIGH COURT OF CHHATTISGARH, BILASPUR

Single Bench: Hon'ble Shri Dilip Raosaheb Deshmukh, J.

S.A.No.506/2007

Appellants Defendants	:	1.	Smt. Suraj Bai W/o Mahadev Soni, Aged about 65 years,
	:	2.	Ashok Kumar S/o. Mahadev Soni, Aged about 42 years,
	:	3.	Sant Kumar Soni, S/o. Mahadev Soni, Aged about 40 years,
			All above R/o. Village Belgahana Tahsil Kota, District Bilaspur.

VERSUS

Respondent Plaintiff	:	1.	Nand Kishore Pandey, S/o Pyarelal Pandey, Aged about 67 years, R/o Belgahana, Police Station & Tahsil Kota, District Bilaspur (CG)
	:	2.	State of Chhattisgarh, Through: Collector, Bilaspur, District Bilaspur (CG)

...***(Respondent/defendant)***

Second Appeal under Section 100 of Civil Procedure Code

Present:
Shri Manoj Paranjpe, counsel for the appellants/defendants.

ORAL ORDER
(Passed on 30.11.2007)

Heard on I.A.No.02 for withdrawal of the Second Appeal.

Shri Manoj Paranjpe, learned counsel for the appellants prays for liberty to move an application before the the Executing Court that in execution of the impugned judgment and decree for possession of land Kh.No.145/1, area 0.002 hectares after demolition of superstructure situated thereon, the possession of land Kh.No.148 and 149 area 0.05 acres could not be delivered after demolition of superstructure situated thereon.

I.A. is allowed. The appeal is dismissed as withdrawn. The appellants/defendants are at liberty to move application before the executing Court as prayed.

In view of the above, I.A.No.1 for stay stands disposed of.

Sd/-
Dilip Raosaheb Deshmukh
Judge

Anjani